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ABSTRACT

Recent litigation in Georgia's courts has concerned the constitutionality of the state's system of funding for education and the issue of equal educational opportunities. The state supreme court has decided that, while the system is a poor one in terms of equalization, it bears a rational relationship to legitimate state purposes and thus does not violate state equal protection requirements. The court also held that plaintiffs had shown serious disparities in educational opportunities in Georgia and that, since current legislation will not eliminate them, solutions must come from lawmakers. These opinions parallel the recommendation in the publication "A Nation at Risk" stating that educators and elected officials should be held responsible for providing the leadership and financial support to achieve reform. Consideration of these and related issues has suggested that (1) the problem of equity involves different types of equity; (2) the best effort and performance must be expected from all students; (3) educational opportunities should extend far beyond traditional institutions of learning; and (4) equity in education requires commitment to achieving excellence at levels ranging from that of the individual learner to that of the nation. Progress of Atlanta schools in addressing needs of minority students stands as an example to the state and the nation of equitable treatment of a diverse population. (RH)

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Remarks by Rep. Dorothy Felton
Georgia General Assembly
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EXCELLENCE AND EQUITY
(WAYS THAT EXCELLENCE IN THE SCHOOLS AND EDUCATIONAL EQUITY CAN PROGRESS TOGETHER)

PS 014219

I APPEAR BEFORE YOU AS A MEMBER OF THE GEORGIA HOUSE OF REPRESENTATIVES, HAVING SERVED ON THE EDUCATION COMITTEE FOR NINE YEARS, WE HAVE EXAMINED TEACHERS' SALARIES, TEACHER AVAILABILITY, EDUCATIONAL ACCOUNTABILITY, SCHOOL FACILITY LEGISLATION, APPROPRIATIONS FOR THE ECONOMICALLY AND SOCIALLY DEPRIVED STUDENT (COMPENSATORY EDUCATION), SPECIAL EDUCATION AND MANY OTHER PROGRAMS. WE DEAL EACH SESSION WITH THE CONTROVERSY OF AN EDUCATION STATUTE THAT HAS NOT BEEN FULLY FUNDED OR EQUITABLE IN THE DISTRIBUTION OF STATE DOLLARS TO EACH OF THE 187 SCHOOL SYSTEMS IN OUR STATE.

IN JANUARY 1981, THE POLK COUNTY SUPERIOR COURT DECLARED GEORGIA'S SYSTEM OF FUNDING EDUCATION UNCONSTITUTIONAL, AS THAT METHOD ALLOWED LOCAL SCHOOL BOARDS TO RAISE ENRICHMENT FUNDS THROUGH PROPERTY TAX LEVY, WHICH CREATED SEVERE FUNDING DISPARITY BETWEEN PROPERTY-POOR AND PROPERTY-RICH SCHOOL SYSTEMS.

HOWEVER, THE GEORGIA SUPREME COURT REVERSED THE DECISION OF THE POLK COUNTY SUPERIOR COURT IN NOVEMBER, 1981. THE COURT NOTED THE ABSENCE OF ANY PROVISION IN THE EDUCATION ARTICLE TO EQUALIZE EDUCATIONAL OPPORTUNITIES, AND STATED THAT THIS ABSENCE IS OF CONSTITUTIONAL SIGNIFICANCE. EVEN IN THE FACE OF "EQUAL PROTECTION'S" REQUIREMENT, IT HELD "EVERY STATEMENT IN A DOCUMENT, AND NOT SEQUESTERED FROM IT".

THE COURT THEN TURNED TO THE QUESTION OF WHETHER EDUCATION IS A "FUNDAMENTAL RIGHT", CONCLUDING THAT "EDUCATION PER SE IS NOT A 'FUNDAMENTAL RIGHT' AND... THE GEORGIA PUBLIC SCHOOL FINANCE SYSTEM MUST STAND IF IT SATISFIES THE 'RATIONAL RELATIONSHIP' TEST". IT HELD THAT UNDER THIS LESS STRINGENT TEST, THE EXISTING SYSTEM PASSES CONSTITUTIONAL MUSTER.

THE COURT NOTED THAT "IN TERMS OF EQUALIZATION, THE SYSTEM IS A POOR ONE", BUT THAT IT NONETHELESS BEARS A RATIONAL RELATIONSHIP TO LEGITIMATE STATE PURPOSES AND THUS DOES NOT VIOLATE STATE EQUAL PROTECTION REQUIREMENTS. IT CONCLUDED THAT ITS DECISION "SHOULD NOT ~~THE COURT~~ BE CONSTRUED AS AN ENDORSEMENT BY THE COURT OF THE STATUS QUO...~~AND STATES~~ PLAINTIFFS HAVE SHOWN THAT SERIOUS DISPARITIES IN EDUCATIONAL OPPORTUNITIES EXIST IN GEORGIA AND THAT LEGISLATION CURRENTLY IN EFFECT WILL NOT ELIMINATE THEM. IT IS CLEAR TO THE COURT THAT A GREAT DEAL MORE CAN BE DONE AND NEEDS TO BE DONE TO EQUALIZE EDUCATIONAL OPPORTUNITIES IN GEORGIA. FOR THE PRESENT, HOWEVER, THE SOLUTIONS MUST COME FROM OUR LAWMAKERS," IT CONCLUDED.

THE GEORGIA SUPREME COURT APPEARS TO HAVE PREEMPTED "A NATION AT RISK", WHICH STATES IN RECOMMENDATION E THAT EDUCATORS AND ELECTED OFFICIALS SHOULD BE HELD RESPONSIBLE FOR PROVIDING THE LEADERSHIP TO ACHIEVE REFORM AND PROVIDE THE NECESSARY FINANCIAL SUPPORT TO BRING ABOUT SUCH REFORMS.

COMMITMENT TO EXCELLENCE CANNOT BE REALIZED AT THE EXPENSE OF THE EQUITABLE OF OUR DIVERSE POPULATION. THIS QUESTION OF EQUITY, WHICH MUST CONSIDER TAXPAYER EQUITY, SCHOOL FINANCE EQUITY, AND EQUITY FOR INDIVIDUAL STUDENTS, IS THE PROBLEM WE ARE CHALLENGED TO SOLVE.

WE MUST EMPHASIZE THAT THE VARIETY OF STUDENT ASPIRATIONS, ABILITIES, AND PREPARATION REQUIRES THAT APPROPRIATE CONTENT BE AVAILABLE TO SATISFY DIVERVE NEEDS. ATTENTION MUST BE DIRECTED TO BOTH THE NATURE OF THE CONTENT

AVAILABLE AND TO THE NEEDS OF PARTICULAR LEARNERS. THE MOST GIFTED STUDENTS, FOR EXAMPLE, MAY NEED A CURRICULUM ENRICHED AND ACCELERATED BEYOND EVEN THE NEEDS OF OTHER STUDENTS OF HIGH ABILITY. SIMILARLY, EDUCATIONAL DISADVANTAGED STUDENTS MAY REQUIRE SPECIAL CURRICULUM MATERIALS, SMALLER CLASSES, OR INDIVIDUAL TUTORING TO HELP THEM MASTER THE MATERIAL PRESENTED. NEVERTHELESS, THERE REMAINS A COMMON EXPECTATION: WE MUST DEMAND THE BEST EFFORT AND PERPORMANCE FROM ALL STUDENTS, WHETHER THEY ARE GIFTED OR LESS ABLE, WHETHER AFFLUENT OR DISADVANTAGED, WHETHER DESTINED FOR COLLEGE, THE FARM OR INDUSTRY.

A SYSTEM OF EDUCATION THAT AFFORDS ALL MEMBERS THE OPPORTUNITY TO STRETCH THEIR MINDS TO FULL CAPACITY, FROM EARLY CHILDHOOD THROUGH ADULTHOOD, LEARNING MORE AS THE WORLD ITSELF CHANGES. SUCH A SOCIETY HAS AS A BASIC FOUNDATION THE IDEA THAT EDUCATION IS IMPORTANT NOT ONLY BECAUSE OF WHAT IT CONTRIBUTES TO ONE'S CAREER GOALS BUT ALSO BECAUSE OF THE VALUE IT ADDS TO THE GENERAL QUALITY OF ONE'S LIFE. EDUCATIONAL OPPORTUNITIES SHOULD EXTEND FAR BEYOND THE TRADTIONAL INSTITUTIONS OF LEARNING. THEY EXTEND INTO HOMES AND WORKPLACES: INTO LIBRARIES, ART GALLERIES, MUSEUMS, AND SCIENCE CENTERS; INDEED, INTO EVERY PLACE WHERE THE INDIVIDUAL CAN DEVELOP AND MATURE IN WORK AND LIFE. FORMAL SCHOOLING IN YOUTH IS THE ESSENTIAL FOUNDATION FOR LEARNING THROUGHOUT LIFE. BUT WITHOUT LIFE-LONG LEARNING, ONE'S SKILLS WILL BECOME RAPIDLY DATED.

FOR TOO MANY PEOPLE EDUCATION MEANS DOING THE MINIMUM WORK NECESSARY FOR THE MOMENT, THEN COASTING THROUGH LIFE ON WHAT MAY HAVE BEEN LEARNED IN ITS FIRST QUARTER. BUT THIS SHOULD NOT SURPRISE US BECAUSE WE TEND TO EXPRESS OUR EDUCATIONAL STANDARDS AND EXPECTATIONS LARGELY IN TERMS OF "MINIMUM REQUIREMENTS".

WE MUST DEFINE "EXCELLENCE" TO MEAN SEVERAL RELATED THINGS. AT THE LEVEL OF THE INDIVIDUAL LEARNER, IT MEANS PERFORMING ON THE BOUNDARY OF INDIVIDUAL ABILITY IN WAYS THAT TEST AND PUSH BACK PERSONAL LIMITS, IN SCHOOL AND IN THE WORKPLACE. EXCELLENCE CHARACTERIZES A SCHOOL OR COLLEGE THAT SETS HIGH EXPECTATIONS AND GOALS FOR ALL LEARNERS, THEN TRIES IN EVERY WAY POSSIBLE TO HELP STUDENTS REACH THEM. EXCELLENCE CHARACTERIZES A SOCIETY THAT HAS ADOPTED THESE POLICIES, FOR IT WILL THEN BE PREPARED THROUGH THE EDUCATION AND SKILL OF ITS PEOPLE TO RESPOND TO THE CHALLENGES OF A RAPIDLY CHANGING WORLD. OUT NATIONS'S PEOPLE AND ITS SCHOOLS AND COLLEGES MUST BE

COMMITTED TO ACHIEVING EXCELLENCE IN ALL THESE SENSES IF WE ARE TO HAVE EQUITY IN EDUCATION.

IT'S A DEMOGRAPHIC FACT OF LIFE THAT THE NUMBER OF YOUNG BLACKS, HISPANICS, ASIANS AND OTHER MONORITIES ARE ON THE RISE AND THAT THEY WILL SOON BE REPLACING AN AGING, PREDOMINANTLY WHITE WORK FORCE AND PAYING ITS SOCIAL SECURITY BILLS. WE MUST REALIZE THAT A BETTER EDUCATION FOR MINORITIES, IN WHATEVER SETTING THEY FIND THEMSELVES, IS IN THE BEST INTERESTS NOT ONLY OF THE MINORITY YOUTH BUT IN DIRECT FINANCIAL, PERSONAL, AND SOCIAL BEST INTERESTS OF ALL OF US.

ATLANTA HAS DEVELOPED AS A LARGE URBAN SCHOOL SYSTEM THAT HAS ADDRESSED THE NEEDS OF THE MINORITY STUDENTS, WHO ACTUALLY ARE IN THE MAJORITY OF THE SCHOOL POPULATION. IN THE LAST TEN YEARS, THE SYSTEM HAS MADE PROGRESS IN ALL AREAS, BUT THE BIGGEST ACHIEVMENT IS THAT IT NOW HAS "A BELIEVING COMMUNITY". BOTH BLACKS AND WHITES NOW BELIEVE THAT ALL CHILDREN CAN LEARN AND MUST LEARN.

THREE RECENT MAJOR STUDIES HAVE FOCUSED ON ATLANTA'S PROGRESS. THEY ARE THE BOYER REPORT CALLED "HIGH SCHOOL", THE GOODLAD REPORT, "A PLACE CALLED ... SCHOOL". AND THE "GOOD HIGH SCHOOL", BY A HARVARD PROFESSOR. ATLANTA WAS THE FIRST SCHOOL SYSTEM IN THE NATION TO LOCATE SOCIAL SERVICES AT THE SCHOOL SETTING. THIS NEW MODEL HAS BEEN FOLLOWED IN MANY AREAS, INCLUDING HERE IN INDIANAPOLIS.

THIS STRONG PUBLIC COMMITMENT IN ATLANTA TO THE EQUITABLE TREATMENT OF OUR DIVERSE POPULATION IS AN EXAMPLE FOR NOT ONLY THE NATION, BUT OUR OWN STATE OF GEORGIA. SPECIFICALLY, GEORGIA HAS NOT OVER REACTED TO THE NUMEROUS STUDIES CALLING FOR EDUCATIONAL EXCELLENCE AND EQUITY. THAT IS A NICE WAY TO SAY THAT MANY OF OUR POLITICAL LEADERS DO NOT REALIZE THAT OUR STATE IS INDEED AT RISK AND TRUTHFULLY, SOME EDUCATORS ARE THINKING, "THAT THIS TOO WILL PASS, THAT IT IS A FAD"

HOWEVER, A TOTALLY NEW ENVIRONMENT FOR THINKING ABOUT EDUCATIONAL ISSUES IN THE UNITED STATES HAS BEEN CREATED BY THE WAVE OF REPORTS, BUT ESPECIALLY " A NATION AT RISK". FOR THOSE OF US WHO HAVE BEEN SO ANXIOUS FOR IMPROVEMENT IT IS VERY SPECIAL MOMENT LIKE HAVING A ONCE IN A LIFE TIME OPPORTUNITY TO INTERVENED HISTORY, TO DO WHAT IS SO NECESSARY TO IMPROVE EDUCATION. THE EXCITING THING IS THAT SUDDENLY WE HAVE A PRES. OF THE UNITED STATES, CORPORATE BOARD CHAIRMAN,

PRESIDENTIAL CONDIDATES, UNIVERSITY PRESIDENTS, GOVERNORS, AND LEGISLATIVE LEADERS IN THE CONGRESS AND STATE CAPITALS THAT HAVE MOUNTED A CRUSADE TO IMPROVE SCHOOLS. AS A RESULT, OUR NEW GOVERNOR HAS APPOINTED AN EDUCATION REVIEW COMMISSION. THIS COMMISSION IS DOING AN EXCELLENT JOB. THE 42 APPOINTED COMMISSIONERS ARE FROM ALL WALKS OF LIFE, AND WILL DELIBERATE UNTIL NEXT YEAR ON THE DEFINITION OF EDUCATION, FUNDING OF EDUCATION, SERVICE DELIVERY IN SUPPORT OF EDUCATIONAL PROGRAMMING, PERSONNEL (TEACHER EDUCATION, CERTIFICATION, EVALUATION, PERFORMANCE PAY, STAFF DEVELOPMENT, TEACHER SHORTAGES, AND LEADERSHIP.) A SUBCOMMITTEE OF THE COMMISSION IS STUDYING EACH OF THESE AREAS AS ADDRESSED IN EACH OF THE OTHER 49 STATES. IT IS HOPED THAT THE FINAL REPORT, WITH LEGISLATION, WILL MEET THE REQUIREMENTS OF EXCELLENCE AND EQUITY.

I DO BELIEVE GEORGIA AND THE NATION HAVE THE CAPABILITY TO REFORM THEIR EDUCATIONAL SYSTEMS AND MEET THE NECESSITY OF EQUITY, BUT THE INCENTIVE WILL HAVE TO COME FROM THIS ATMOSPHERE OF THE CITIZENS DEMANDING ACCOUNTABILITY. THE DIFFICULTY WILL BE TO FIND SUFFICIENT FUNDS TO SUPPORT THIS EFFORT IN STATES LIKE GEORGIA THAT CONTINUE TO UNDER FINANCE EDUCATION. HOWEVER, THE TIME HAS ARRIVED WHEN ACCOUNTABILITY DICTATES CHANGE WITHIN THE EXISTING STRUCTURE TO DEVELOP THE TALENTS OF ALL CITIZENS, REGARDLESS OF THEIR STATUS.

CHANGES I SUGGEST:

A. 1. STATE MANDATED BASIC ACADEMIC CURRICULUM:

B. 2. STANDARDIZED AND DIAGNOSTIC TESTING PROGRAM REFLECTIVE OF ESTABLISHED CURRICULUM;

C. 3. INSTRUCTIONAL MATERIALS, CURRICULUM GUIDES, AND OTHER INSTRUCTINAL RESOURCES DESIGNED AND SELECTED TO SUPPORT CURRICULUM;

D. 4. ESTABLISHMENT OF ROLE DEFINITION FOR ADMINISTRATORS AS INSTRUCTIONAL AND CURRICULUM LEADERS, AS OPPOSED TO MANAGERS;

E. 5. IMPROVED TEACHER SALARY STRUCTURE, A MERIT PAY SYSTEM, SCHOLARSHIP INCENTIVIES FOR CONTINUING EDUCATION, AND THE ATTRACTION OF THE MOST CAPABLE STUDENTS INTO TEACHING;

F. 6. A SENSITIVE APPROACH TO CAPITAL OUTLAY WHICH WOULD IMPROVE THE EDUCATIONAL ENVIRONMENT REFLECTING CURRICULUM;

G. 7. ESTABLISHMENT THROUGH STATUTE OF A MECHANISM FOR DISTRICT POWER EQUALIZATION AND WEIGHTING OF SYSTEMS AND SPECIFIC STUDENT CATEGORIES TO EFFECT FINANCIAL AND EDUCATIONAL EQUITY. THIS PLAN SHOULD NOT IMPEDE ANY SYSTEM, ONLY HELP THOSE LESS ABLE TO HELP THEMSELVES;

H. 8. REORGANIZE THE CURRICULUM FROM K-12, WITH EMPHASIS ON SKILL SEQUENCE AND SCOPE, CORE REQUIREMENTS, MORE STRINGENT GRADUATION REQUIREMENTS.

I. 9. ESTABLISHMENT OF THE DEFINITION OF EDUCATION. ALL CITIZENS WILL KNOW WHAT SCHOOLING EXPECTS OF THEM FROM GRADE K THROUGH 12. THE GENERAL ASSEMBLY CAN THEN PROVIDE SUFFICIENT FUNDING TO MEET SUCH OBJECTIVES. FINALLY, TO RESPOND TO A CHANGING ECONOMY, NEW RESPONSIBILITIES AND INCREASED COMPETITION, THE STATE NEEDS TO TAKE A MORE FUNDAMENTAL, LONG-TERM APPROACH TO EDUCATION AND ITS ROLE IN DEVELOPMENT.

1. IN SUCH AN APPROACH THE STATE BUDGET MUST BE VIEWED FROM AN

INVESTMENT PERSPECTIVE WITH PUBLIC EXPENDITURES USED TO STIMULATE PRIVATE DEVELOPMENT.

2. A STRATEGIC FOCUS MUST BE FORMULATED TO GUIDE THOSE STATE INVESTMENTS.

3. THE PRIVATE SECTOR MUST BE INVOLVED IN FORMULATING THIS STRATEGY, THEREBY CREATING A PUBLIC/PRIVATE PARTNERSHIP.

4. THIS PARTNERSHIP MUST BE MADE PERMANENT TO PROVIDE A CONTINUUM OF LEADERSHIP FOR THE ECONOMIC DEVELOPMENT OF THE STATE.

TO CONCLUDE: